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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,055	01/28/2004	Tetsuya Gotoh	248025US2CONT	2329

22850 7590 02/07/2008
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

WASHINGTON, JAMARES

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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02/07/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/765,055

Applicant(s)

GOTOH ET AL.

Examiner

Jamares Washington

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on November 10, 2000. It is noted, however, that applicant has not filed a certified copy of the foreign application as required by 35 U.S.C. 119(b).

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Abraham J. Streefkerk et al (US 6058277).

Regarding claim 1, Streefkerk et al discloses a printing job controlling device (Fig. 1 numeral 107) configured to display a queue of printing jobs (Fig. 8 described at Col. 6 lines 24-29), comprising:

a calculating unit (Fig. 2 numeral 202) configured to calculate a time required to process a printing job (Col. 5 lines 1-4);

a reading unit (Fig. 2 numeral 202) configured to read out a current status of the printing job (Col. 4 lines 62-66 wherein the waiting time would indicate how long the print job would currently have to wait before being processed); and

a displaying unit (Fig. 2 numeral 201) configured to display an image having a size proportional to the time required calculated by said calculating unit and having a pattern corresponding to the current status read out by said reading unit (Col. 6 lines 1-11).

Regarding claim 2, Streefkerk et al discloses a printing job controlling device (Fig. 1 numeral 107) configured to display a queue of printing jobs (Fig. 8), comprising:

a calculating unit (Fig. 2 numeral 202) configured to calculate a time required to process each of the printing jobs (Fig. 8 shows that the times for each printing job has been calculated);
and

a displaying unit (Fig. 2 numeral 201) configured to display images each having a size proportional to the time calculated by said calculating unit continuously on a predetermined displaying area (Fig. 8; Continuously updated as described for Fig. 7 at Col. 6 lines 3-5), wherein said displaying unit is configured to display an image of a current printing job at one end of the displaying area (Described in Fig. 7 wherein the current printing job is indicated by the "waiting time" until the next print job is printed, shown by numeral 701. Fig. 4 shows the graph at one end of the display area).

Regarding claim 4, Streefkerk et al discloses a method of displaying a queue of print jobs, comprising:

calculating a time required to process a print job (Col. 5 lines 1-4);;

reading out a current status of the print job (Col. 4 lines 62-66 wherein the waiting time would indicate how long the print job would currently have to wait before being processed); and

displaying an image having a size proportional to the time required (Col. 6 lines 1-11) and having a pattern corresponding to the current status (Fig. 7 shows the waiting time and job to be processed with differing patterns or colors; Col. 6 lines 1-3).

Regarding claim 5, Streefkerk et al discloses a method of displaying a queue of print jobs, comprising:

calculating times required to process print jobs (Fig. 8 shows that the times for each printing job has been calculated); and

continuously displaying images having sizes proportional to the times required on one end of a displaying area (Fig. 8; Continuously updated as described for Fig. 7 at Col. 6 lines 3-5; Fig. 4 shows the graph at one end of the display area).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Streefkerk in view of Masashi Kuno et al (US 7283258 B1).

Regarding claim 3, Streefkerk et al discloses a method of displaying a queue of printing jobs (Fig. 8 described at Col. 6 lines 24-29), comprising:

a calculating times required to process print jobs (Fig. 8 shows that the times for each printing job has been calculated); and

continuously displaying images having sizes proportional to the times required on one end of a displaying area (Fig. 8; Continuously updated as described for Fig. 7 at Col. 6 lines 3-5).

Streefkerk et al fails to disclose or suggests the images proportional to the time calculated as rectangular images.

Kuno, in the same field of endeavor of utilizing a graphical display to indicate statistics of printing apparatuses (Fig. 11 indicating the ink amount left for each color in printing units), teaches a graphical display utilizing rectangular images (Fig. 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made for the controlling device configured to display a queue of printing jobs as disclosed by Streefkerk et al to utilize rectangular images (bar diagram) as taught by Kuno to graphically show the user the processing time remaining for each print job with more accuracy given a pie chart (circular diagram) may have two or more portions which appear to be similar.

Regarding claim 6, Streefkerk et al discloses a method of displaying a queue of print jobs, comprising:

- calculating times required to process print jobs; and
- continuously displaying rectangular images having sizes proportional to the times required (see rejection of claim 3).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamares Washington whose telephone number is (571) 270-1585. The examiner can normally be reached on Monday thru Friday: 7:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jamare Washington
Junior Examiner
Art Unit 2625


JW

KING Y. POON
SENIOR PATENT EXAMINER

January 30, 2008